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MARY McLEOD BETHUNE COUNCIL HOUSE NATIONAL HISTORIC SITE

OCTOBER 5 (legislative day, OCTOBER 2), 1990.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 5084]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 5084) to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 5084, as ordered reported, is to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site in Washington, D.C.

BACKGROUND AND NEED

Mary McLeod Bethune (1875–1955) was a distinguished African-American educator, political activist and leader who devoted her life to championing the causes of African-American women. In 1904, she opened the Daytona Normal and Industrial Institute in Florida, which later became the Bethune-Cookman College. Mrs. Bethune remained president of the college until 1942.

Mrs. Bethune was also the founder of the National Council of Negro Women, which united the major African-American women's organizations into a national organization in 1935. She remained president of that organization until 1949. Mrs. Bethune also served as the president of the National Association of Teachers in Colored Schools, as vice president of the Commission on Interracial Coop-

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eration and as president of the Association for the study of Negro Life and History.

Mrs. Bethune lived in her home, located at 1318 Vermont Avenue in Washington, from 1943 until 1949 and used the house as her headquarters from 1943 until her death in 1955.

The Bethune Museum and Archives opened in 1979, and was designated as a National Historic Site in 1982. The Museum has held exhibitions on African-American women's history and culture, held lecture and concert series, and provided reference services and educational publications.

Since its designation in 1982, the Bethune Museum and Archives has been a National Historic Site, but not a unit of the National Park System. H.R. 5084 will allow the Secretary of the Interior to acquire the site (with the consent of the owner) and manage it as a unit of the National Park System.

LEGISLATIVE HISTORY

H.R. 5084, introduced by Congressman Lewis of Georgia, passed the House of Representatives by a voice vote on July 30, 1990. The Subcommittee held a hearing on this measure on September 20, 1990.

At the business meeting on September 26, 1990, the Senate Committee on Energy and Natural Resources ordered H.R. 5084 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on September 26, 1990, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 5084, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman [1]	
Mr. Wirth [1]	
Mr. Conrad	
Mr. Heflin [1]	
Mr. Rockefeller	
Mr. Akaka [1]	
Mr. McClure	
Mr. Hatfield [1]	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles [1]	
Mr. Burns	
Mr. Garn [1]	
Mr. McConnell [1]	

[1] Indicates voted by proxy.

SECTION-BY-SECTION ANALYSIS

Section 1 sets forth the purposes of H.R. 5084, which include preserving and interpreting: the life and work of Mary McLeod Bethune; the history, lives and contributions of African-American women; and the struggle for civil rights in the United States.

Section 2 authorizes the Secretary of the Interior to acquire, on a willing-seller basis, the Mary McLeod Bethune Council House National Historic Site in Washington, D.C., together with such improvements and personal property associated with the site as the Secretary deems appropriate for interpretation of the site.

Section 3(a) provides that upon acquisition of the property by the Secretary, the site is to be administered in accordance with the laws generally applicable to units of the National Park System, including the National Park Service Organic Act of 1916 and the Historic Preservation Act of 1935.

Subsection (b) directs the Secretary to enter into a cooperative agreement with non-profit organizations dedicated to preserving and interpreting the life and work of Mary McLeod Bethune to provide public education programs and to administer the archives currently located at the site.

Subsection (c) states that the site is to be operated and managed in accordance with a general management plan, and that the Advisory Commission established by section 4 shall fully participate in an advisory capacity with the Secretary during the preparation of the plan.

Section 4 establishes the 15-member Mary McLeod Bethune Council House National Historic Site Advisory Commission. The members of the Commission are to consist of representatives of the National Council of Negro Women, the Bethune Museum and Archives, and other national organizations in which Mary McLeod Bethune played a leadership role. Also on the Commission are members with professional expertise in the history of African-American women, members with professional expertise in archival management, a member with professional expertise in historic preservation, and three members of the general public.

Section 5 authorizes the appropriation of such sums as may be necessary to carry out the purposes of this Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 28, 1990.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 5084, an act to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House Na-

tional Historic Site, and for other purposes, as ordered reported by the Senate Committee on Energy and Natural Resources on September 26, 1990. Assuming appropriation of the necessary sums, CBO estimates that the federal government would spend up to $1 million for the initial costs of implementing the legislation. Most of this amount would be spent over fiscal years 1991 and 1992. Thereafter, about $0.8 million would be spent each year for routine operation and maintenance.

H.R. 5084 would authorize the Secretary of the Interior to purchase or accept the donation of the Mary McLeod Bethune Council House and related property. The acquired property would be managed by the National Park Service (NPS) in consultation with, a 15-member advisory commission. Under section 3(b) of the act, the NPS would be authorized to execute cooperative agreements with private organizations for the provision of interpretive services and archive administration. Section 5 would authorize the appropriation of whatever sums are necessary to carry out the act.

The costs of implementing H.R. 5084 would depend on the outcome of formal property appraisals, NPS planning studies, and, finally, negotiations with the nonprofit organizations that currently own and operate the Council House. At this time, however, CBO does not expect the initial costs to exceed $1 million, including acquisition, restoration, and development expenditures as well as administrative and planning costs. Most of this spending would occur during fiscal years 1991 and 1992, assuming appropriation of the necessary sums.

Once acquisition has been completed, the NPS would spend about $0.8 million to operate and maintain the site, including payments of about $0.3 million under section 3(b).

On July 30, 1990, CBO prepared a cost estimate for H.R. 5074, as ordered reported by the House Committee on Interior and Insular Affairs on July 25, 1990. The two versions of the bill and their estimated costs are identical.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 5084. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 584, as reported.

EXECUTIVE COMMUNICATIONS

On September 12, 1990, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on H.R. 5084. These reports had not been received at the time the report on H.R. 5084 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DENIS GALVIN, ASSOCIATE DIRECTOR FOR PLANNING AND DEVELOPMENT, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I appreciate the opportunity to provide your subcommittee with the views of the Department of the Interior on H.R. 5084, a bill to authorize the National Park Service to acquire and manage the Mary McLeod Bethune Council House National Historic Site.

Mr. Chairman, we oppose enactment of H.R. 5084 and request that you defer action on this bill until the National Park Service completes a Suitability-Feasibility study to analyze alternatives for addressing several issues related to the Council House site.

The Mary McLeod Bethune Council House and the National Archives for Black Women's History were designated a national historic site in 1982 by Public Law 97-329. That authorizing legislation directed the Secretary of the Interior to enter into a cooperative agreement with the National Council of Negro Women. The site, and the archives, have been operated by the National Council, in conjunction with the Bethune Museum Archives, Inc., since that legislation was enacted. The purpose of the site as directed in the 1982 legislation included the preservation, maintenance, and interpretation of the Council House and site because of the historic meaning and prominence of the life and achievements of Mary McLeod Bethune, an outstanding leader in the area of housing, employment, civil rights, and women's rights; and the continuation of the Mary McLeod Bethune Memorial Museum and the National Archives for Black Women's History at this site.

H.R. 5084 would authorize the Secretary of the Interior to acquire the site, and then manage and operate the site. As proposed in this bill, the Council House, carriage house, and archives would be acquired in fee simple, and then the National Park Service would administer the site, including interpretation and preservation, in accordance with National Park Service management policies, and guiding legislation.

H.R. 5084 would authorize the Secretary to acquire the archives, and the Secretary is then directed to enter into a cooperative agreement with nonprofit organizations to administer the archives currently located at the historic site.

The Secretary is further directed to enter into cooperative agreements with nonprofit organizations to provide the public programs, seminars, and lectures appropriate to interpret the life and work of Mary McLeod Bethune and the history and contributions of African-American women.

The National Park Service is in the process of completing a Suitability-Feasibility study addressing the issues related to the Council House and the archives. This study is not complete but it will include addressing alternatives for the following significant issues:

1. H.R. 5084 significantly expands the existing scope of the Council House and the archives: Under H.R. 5084 the site would preserve and interpret the life and work of Mary McLeod Bethune, the history, lives, and contributions of African-American women, and the struggle for civil rights in the United States. This expanded scope could significantly affect the operation, operating budget of the Council House, and the archives.

2. If the scope of the site is expanded, and additional material is acquired in the future, the existing carriage house would become inadequate to store the archives. The scope of the archives should be carefuly considered, as well as the future use of the carriage house.

3. Neither the Council House nor the carriage house currently holding the archives are accessible to the handicapped. Access to the four story house, and two story carriage house, need to be carefully considered for feasible alternatives for access.

4. If the existing archives, or the expanded archives, cannot be made accessible to the handicapped, the boundary of the existing site should be reconsidered for possible expansion.

5. H.R. 5084 directs the Secretary of the Interior to administer the Council House. The Suitability-Feasibility Study will include alternatives for management, and an analysis of the impact of any changes proposed in the management of the site and the archives.

6. Cost estimates for the various alternatives have not yet been completed.

In summary, because of these significant issues which will be addressed in the Suitability-Feasibility Study, we recommed that action be deferred on H.R. 5084 until completion of this study.

That concludes my testimony, and I would be pleased to answer any questions you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule of XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 5084, as ordered reported.

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